

Applicant : Ravi B. Gopal
Appl. No : 10/771,152
Filed : February 4, 2004
Title : SYSTEM AND METHOD FOR MEASURING INTERNAL
RESISTANCE OF ELECTROCHEMICAL DEVICES

Grp./A.U.: 2838

Examiner : Samuel Berhanu

Docket No.: 9351-382

Ian C. McMillan B.Sc. (Math & Eng.), LL.B., LL.M.
416 957 1644 imcmillan@bereskinparr.com

Your Reference: 10/771,152
Our Reference: 9351-382

November 11, 2005

The Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia
U.S.A. 22313-1450

Dear Sir:

**PETITION FOR CORRECTION OF INVENTORSHIP IN A PATENT
APPLICATION PURSUANT TO 37 C.F.R. 1.48(a)**

We request that the inventorship of the above-noted application be amended pursuant to 37 CFR 1.48(a) to add as a joint inventor in addition to the inventor originally named, the following inventor:

Norman Freeman

Attached to this Petition for Correction are the following documents in support of this request;

- 1.) Statement of Norman Freeman in support of Petition to Correct Inventorship (executed by Norman Freeman);
- 2.) Statement of Assignee in support of Petition to Correct Inventorship (executed by Salil Munjal on behalf of Hydrogenics)
- 3.) Statement establishing ownership of Patent Application by assignee (executed by Salil Munjal);

- 4.) Declaration for execution by the named inventors (executed by Ravi Gopal and Norman Freeman);
- 5.) Supplementary Assignment (executed by Norman Freeman); and,
- 6.) A corrected Application Data Sheet to reflect the change in inventorship

The government fee of \$170.00 pursuant to section 1.17(i) is included in our firm cheque No. 7860 in respect of the filing fee for this petition.

Please charge any deficiencies or credit any overpayment to our deposit account No. 02-2095.

Amendment of this application as requested above is respectfully requested.

Respectfully submitted,



Ian C. McMillan
Registration No. 43,390

/bap
Encl.



PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031

Approved for use through 09/2020. GMS 0091-0001
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 10/771,152

Filing Date February 4, 2004

First Named Inventor GOPAL, Ravi B.

Art Unit 2838

Examiner Name **Berhanu, Samuel**

Total Number of Pages in This Submission

Attorney Docket Number 9351-382

ENCLOSURES (check all that apply)

| | | |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <p style="margin-left: 20px;">Return Receipt Card; Transmittal Form; Petition for Correction of Inventorship; Letter; Cited documents</p> |
| <input style="border: 1px solid black; width: 150px; height: 20px; margin-bottom: 5px;" type="text"/> Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

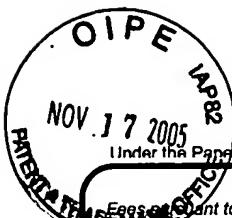
| | |
|-------------------------------|---|
| Firm or Individual name | Ian C. McMillian, Registration No. 43,390 |
| Signature |  |
| Date | November 11, 2005 |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

| | | | |
|-----------------------|--|------|--|
| Typed or printed name | | | |
| Signature | | Date | |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)
170.00

Complete if Known

| | |
|----------------------|------------------|
| Application Number | 10/771,152 |
| Filing Date | February 4, 2004 |
| First Named Inventor | Ravi B. Gopal |
| Examiner Name | Samuel Berhanu |
| Art Unit | 2838 |
| Attorney Docket No. | 9351-382 |

METHOD OF PAYMENT (check all that apply)

#7840 Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number: **022095** Deposit Account Name: **Bereskin & Parr**

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

Small Entity
Fee (\$) **Fee (\$)**

50 25

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

200 100

Multiple dependent claims

360 180

Total Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**
- 20 or HP = **0** x **0** = **0.00**

Multiple Dependent Claims
Fee (\$) **Fee Paid (\$)**

HP = highest number of total claims paid for, if greater than 20

Indep. Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**
- 3 or HP = **0** x **0** = **0.00**

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets **Extra Sheets** **Number of each additional 50 or fraction thereof** **Fee (\$)** **Fee Paid (\$)**
- 100 = **0** / 50 = **0** (round up to a whole number) x **0** = **0**

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: Petition for Correction of Inventorship (\$130.00)Assignment (\$40.)

Fees Paid (\$)

170.00

SUBMITTED BY

| | | | |
|-------------------|-----------------|---|--------------------------|
| Signature | | Registration No. 43,390 (Attorney/Agent) | Telephone (416) 364-7311 |
| Name (Print/Type) | Ian C. McMillan | | Date November 11, 2005 |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT
Docket No. 9351-382

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTORS : Ravi B. GOPAL et al.
SERIAL NO. : 10/771,152
FILED : February 4, 2004
FOR : SYSTEM AND METHOD FOR MEASURING
INTERNAL RESISTANCE OF
ELECTROCHEMICAL DEVICES
GROUP ART UNIT : 2838
EXAMINER : Samuel Berhanu

Assistant Commissioner of Patents
Washington D.C. 20231

STATEMENT OF NORMAN FREEMAN IN SUPPORT OF PETITION TO
CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.48(a)

I, Norman Freeman, hereby state that I am one of the inventors for the above-identified patent application, and further state that the omission of my name from the application as originally filed occurred without deceptive intent on my part.

Dated: November 2, 2005



Norman Freeman



PATENT
Docket No. 9351-382

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTORS : Ravi B. GOPAL et al.
SERIAL NO. : 10/771,152
FILED : February 4, 2004
FOR : SYSTEM AND METHOD FOR MEASURING
INTERNAL RESISTANCE OF
ELECTROCHEMICAL DEVICES
GROUP ART UNIT : 2838
EXAMINER : Samuel Berhanu

Assistant Commissioner of Patents
Washington D.C. 20231

**STATEMENT OF ASSIGNEE IN SUPPORT OF PETITION TO CORRECT
INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.48(a)**

The undersigned, being duly authorized to act on behalf of Hydrogenics Corporation ("Hydrogenics") in connection with this matter, hereby states that Hydrogenics is the owner by assignment of the above-identified patent application (see Assignment recorded June 29, 2004 at reel 015555, frame 0990 as well as Assignment by Norman Freeman enclosed herewith), and further states that Hydrogenics consents to the addition of Norman Freeman as a named inventor on said patent application.

Dated: November 1, 2005


SALIL MUNJAL.
Vice President
Corporate Development

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



NOV 17 2005

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Ravi B. Gopal et al.Application No./Patent No.: 10/771,152Filed/Issue Date: February 4, 2004Entitled: **SYSTEM AND METHOD FOR MEASURING INTERNAL RESISTANCE OF ELECTROCHEMICAL DEVICES**Hydrogenics Corporation a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or
2. an assignee of less than the entire right, title, and interest

The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 015555, Frame 0990, or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.



Signature
Salil Mital

Printed or Typed Name

Vice President Corporate
Development

Title

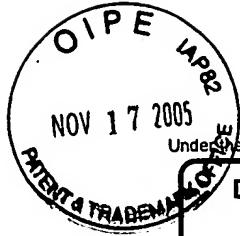
NOV 1 / 2005

Date

905. 361. 4580

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

| | |
|--------------------|--|
| Title of Invention | SYSTEM AND METHOD FOR MEASURING INTERNAL RESISTANCE OF ELECTROCHEMICAL DEVICES |
|--------------------|--|

As the below named inventor(s), I/we declare that:

This declaration is directed to:

The attached application, or
 Application No. 10/771,152, filed on FEBRUARY 4, 2004,
 as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one: RAVI B. GOPAL

Signature: Ravi B. Gopal Date 02 Nov 2005 Citizen of: CANADA

Inventor two: NORMAN FREEMAN

Signature: Norman Freeman Date Nov 2/05 Citizen of: CANADA

Inventor three:

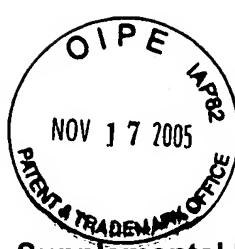
Signature: _____ Date _____ Citizen of _____

Inventor four:

Signature: _____ Date _____ Citizen of: _____

Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Supplemental Patent Application Data Sheet

Application Information

Application Type: Regular

Subject Matter: Utility

Suggested

Classification:

Suggested Group Art

Unit:

CD-ROM or CD-R?:

Number of CD disks:

Number of copies of CDs:

Sequence submission?:

Computer Readable

Form (CRF?): Yes

Number of copies of CRF:

Title: SYSTEM AND METHOD FOR MEASURING INTERNAL
RESISTANCE OF ELECTROCHEMICAL DEVICES

Attorney Docket Number: 9351-382

Request for Early

Publication?: No

Request for Non-Publication?: No

Suggested Drawing Figure: 2a

Total Drawing Sheets: 4

Small Entity?: No

Latin Name:

Variety denomination

name:

Petition included?: No

Petition Type:

Licensed US Govt.

Agency:

Contract or Grant

Numbers:

Secrecy Order in

Parent Appl.?:

Applicant Information

Inventor Authority Type: Inventor

Primary Citizenship

Country: Canada

Status: Full Capacity

Given Name: Ravi

Middle Name: B.

Family Name: Gopal

Name Suffix:

City of Residence: Oakville

State or Prov. Of

Residence: Ontario

Country of Residence: Canada

Street of mailing address: 2059 Glenforest Crescent

City of mailing address: Oakville

State or Province of
mailing address: Ontario
Country of mailing address: Canada
Postal or Zip Code of
mailing address: L6J 2G5

Inventor Authority Type: Inventor

Primary Citizenship
Country: Canada
Status: Full Capacity

Given Name: Norman
Middle Name:
Family Name: Freeman
Name Suffix:
City of Residence: Richmond Hill
State or Prov. Of
Residence: Ontario
Country of Residence: Canada
Street of mailing address: 110 Nahanni Drive
City of mailing address: Richmond Hill
State or Province of
mailing address: Ontario
Country of mailing address: Canada
Postal or Zip Code of
mailing address: L4B 4L5

Correspondence Information

Correspondence Customer

Number: 001059
Phone Number: 416-364-7311
(Max. 3 telephone numbers)
Fax Number: (416) 361-1398
E-Mail Address: *imcmillan@bereskinparr.com*
(Max. 3 e-mail addresses)

Representative Information

Representative

Customer Number: 001059

Domestic Priority Information

| Application: | Continuity Type: | Parent Application: | Parent Filing Date: |
|---------------------|-------------------------|----------------------------|----------------------------|
| This Application | Non-provisional of | 60/444,696 | 02/04/03 |

Assignee Information

Assignee name: Hydrogenics Corporation
Street of mailing address: 5985 McLaughlin Road
City of mailing address: Mississauga
State or Province of
mailing address: Ontario
Country of mailing address: Canada
Postal or Zip Code of
mailing address: L5R 1B8